



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,479	07/02/2001	Allan B. Lamkin	70681	8448

22242 7590 04/20/2006

FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

EXAMINER

LAYE, JADE O

ART UNIT	PAPER NUMBER
----------	--------------

2623

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,479

Applicant(s)

LAMKIN ET AL.

Examiner

Jade O. Laye

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

I. The information disclosure statements (IDS) submitted on 2/2/06, 11/30/05, 11/16/05, 11/9/05, and 10/7/05 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements have been considered by the examiner.

Response to Amendment

II. Applicant's amendments, dated 2/9/06, have been entered and made of record. Accordingly, the objections applied in the previous Non-Final action are hereby withdrawn.

Response to Arguments

III. Applicant's arguments, filed 2/9/06, with respect to the *Getsin* reference have been fully considered and are persuasive. Therefore, the previous ground of rejection has been withdrawn and **THIS ACTION IS MADE NON-FINAL.**

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

IV. Claims 1-4, 6-10, 12-18, and 20-23 are rejected under 35 U.S.C. 102(a) and (e) as being anticipated by Kelly et al. (US Pat. No. 6,047,292).

As to Claim 1, Kelly discloses a system for providing both multimedia and Internet (i.e., html) content, which can be accessed via any number of platforms. (Abstract; Col. 2, Ln. 47-Col. 3, Ln. 6 & 55-65; Col. 5, Ln. 1-67). Accordingly, Kelly et al anticipate each and every limitation of Claim 1.

Claims 8 and 17 correspond to and are encompassed Claim 1. Thus, each is analyzed and rejected as previously discussed.

As to Claim 2, it is inherent that DVD and CD mediums (disclosed in Claim 1 citations) contain various directories which are compatible with various platforms. Accordingly, Kelly et al anticipate each and every limitation of Claim 2.

As to Claims 3 and 4, Kelly further discloses the mediums comprise HTML and JAVA content. (Col. 4, Ln. 61-Col. 5, Ln. 13). Accordingly, Kelly et al anticipate each and every limitation of Claims 3 and 4.

Claim 18 corresponds to Claim 3. Thus, it is analyzed and rejected as previously discussed.

The limitations of Claim 6 are encompassed within the limitations of Claims 3 and 4 (i.e., JAVA, HTML, etc. inherently disclose directories with platform specific codes). Accordingly, Kelly et al anticipate each and every limitation of Claim 6.

As to Claim 7, Kelly further teaches the system supports both Windows and Macintosh discs. (Col. 3, Ln. 55-Col. 4, Ln. 5). Accordingly, Kelly et al anticipate each and every limitation of Claim 7.

The limitations of Claims 9 and 10 are encompassed within Claim 1 (i.e., data is received via Internet). Accordingly, Kelly et al anticipate each and every limitation of Claims 9 and 10.

The limitations of Claim 12 are encompassed within the rejection of Claim 1 (i.e., HTML content can be textual). Moreover, since Kelly's system is capable of providing links to Internet data related to the recorded media, it is inherent said data be synchronized (i.e., scroll) along with the multimedia content. Accordingly, Kelly et al anticipate each and every limitation of Claim 12.

As to Claim 13, it is also inherent from the rejection of Claim 12, that said internet data be synchronized with the multimedia data in order for the system to accurately time when said Internet data is to be displayed. Accordingly, Kelly et al anticipate each and every limitation of Claim 13.

As to Claim 14, Kelly further discloses the use of "hotlinks" to webpages. (Col. 6, Ln. 1-7). Accordingly, Kelly et al anticipate each and every limitation of Claim 14.

Claim 15 corresponds to Claim 14. Thus, it is analyzed and rejected as previously discussed.

As to Claim 16, Kelly further teaches the system can be used with a plurality of platforms. (citations of Claim 1 and Col. 2, Ln. 60-61). Accordingly, Kelly et al anticipate each and every limitation of Claim 16.

The limitations of Claim 20 are encompassed by Claim 9. Thus, it is anticipated and rejected as discussed therein.

The limitations of Claim 21 are encompassed within the limitations of Claims 1 and 12. Moreover, in CD/DVD technology, it is inherent that selecting certain portions of textual script will navigate one to corresponding locations in the multimedia content. Accordingly, Kelly et al anticipate each and every limitation of Claim 21.

The limitations of Claims 22 and 23 are encompassed within those of Claim 13. Accordingly, Kelly et al anticipate each and every limitation of Claims 22 and 23.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

V. Claims 5, 11, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al.

As to Claim 5, the Examiner takes Official Notice that, at the time of Applicant's invention, the use of ISO-9660 standards were well known in this art. (as evidenced by *Tahara et al*, US Pat. No. 5,909,551). Accordingly, it would have been obvious to one having ordinary skill in this art at the time of Applicant's invention to modify the system of Kelly in order to provide a more versatile medium.

As to Claim 11, the Examiner takes Official Notice that, at the time of Applicant's invention, overlaying HTML content onto multimedia content was well known in this art. Accordingly, it would have been obvious to one having ordinary skill in this art at the time of Applicant's invention to modify the system of Kelly in order to provide user interface which allows a user to simultaneously view HTML and multimedia data.

As to Claim 19, Kelly teaches the content (i.e., HTML) can be stored on a DVD, but fail to disclose the additional limitations of Claim 19. (citations of Claim 1). However, the Examiner takes Official Notice that, at the time of Applicant's invention, storing HTML data at the client device was well known in this art. Accordingly, it would have been obvious to one having ordinary skill in this art at the time of Applicant's invention to modify the system of Kelly in order to provide for local storage of HTML data, thereby providing a cheaper distribution system.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jade O. Laye whose telephone number is (571) 272-7303. The examiner can normally be reached on Mon. 7:30am-4, Tues. 7:30-2, W-Fri. 7:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner: Jade O. Laye

Initials: 

April 17, 2006.


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600